IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

WP(C).No. 31938 of 2007(B)

PETITIONERS:

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1. JOHNSON, S/O.GEORGE, KAROTTE NEDUNGATTU,
   AVOLY KARA, MUVATTUPUZHA VILLAGE.

2. SAJI, W/O.JOHNSON, KAROTTE NEDUNGATTU,
   AVOLY KARA, MUVATTUPUZHA VILLAGE.

BY ADV. SRI.B.GOPAKUMAR
SRI.RENNY AUGUSTINE

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
   THE DISTRICT COLLECTOR, ERNAKULAM.

2. THE TAHSILDAR, MUVATTUPUZHA.

3. THE APPELLATE ASSISTANT COMMISSIONER,
   A.I.T. AND S.T. ERNAKULAM.

4. THE ADDITIONAL SALES TAX OFFICER,
   MUVATTUPUZHA.

5. RAJAN MATHAI, PROPRIETOR,
   M/S.A.A.TRADERS, RUBBER DEALERS,
   THRIKKARIYOOR, MUVATTUPUZHA.

R1 TO R4 BY GOVT. PLEADER MR. K.P. PRADEEP.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 31938 OF 2007 B
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Dated this the 5th November, 2007

J U D G M E N T

Petitioners submit that they had purchased certain items of properties from the transferee of the 5th respondent. Long thereafter, based on an order of assessment issued by the Sales Tax authorities in 2002, revenue recovery proceedings were initiated and the properties were attached by Exts. P8 and P8(a). Thereupon, the petitioners submitted their objections as per Exts. P10 and P11 to the Tahsildar and as attachment was still not lifted, this writ petition has been filed. Along with I.A. No. 14748 of 2007, petitioner has produced a copy of a representation made by them to the District Collector, Ernakulam and requests for an expeditious disposal of the said representation.

2. From the postal endorsement in Ext. P12 it is seen that the representation has been despatched by the petitioner as claimed in the writ petition. In view of

the filing of Ext. P12 before the District Collector, Ernakulam which is pending his consideration, I dispose of this writ petition directing him to consider and pass orders on Ext. P12 as expeditiously as possible. Before final orders are passed, the petitioners shall be given notice and an opportunity to raise their contentions. It will be open to the petitioners to urge all contentions that are available.

3. Final orders on Ext. P12 shall be passed as expeditiously as possible, at any rate within 6 weeks of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment before the District Collector, Ernakulam, for compliance.

ANTONY DOMINIC
JUDGE

jan/-